

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DEC 21 2005

In re the application of: Raphael *et al.*

Application number: 09/912,401

Filed: July 26, 2001

For: *SYSTEM, METHOD AND COMPUTER PROGRAM TO
MAXIMIZE SERVER THROUGHPUT WHILE AVOIDING
SERVER OVERLOAD BY CONTROLLING THE RATE OF
ESTABLISHING SERVER-SIDE NETWORK
CONNECTIONS*

Attorney Docket No.: 2006579-0455 (CTX-171)

Art Unit: 2153

Examiner: Blenman, Avalon

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 and addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 21, 2005

Signature: Kelly A. O'Neil

(Kelly O'Neil)

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

INTRODUCTORY COMMENTS

This Amendment and Response is filed responsive to the first Office Action dated September 21, 2005. In view of the comments set forth below, Applicants respectfully urge reconsideration and withdrawal of the outstanding rejections.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.